

# Court of Appeals, State of Michigan

## ORDER

Estate of Patricia Reid v Dr Donald Weaver

Docket No. 352118

LC No. 19-008143-NH

Karen M. Fort Hood  
Presiding Judge

Christopher M. Murray

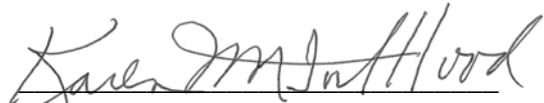
Cynthia Diane Stephens  
Judges

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Pursuant to MCR 7.205(E)(2), the Court orders that the circuit court's November 18, 2019 order is REVERSED, and the matter is REMANDED for entry of an order granting summary disposition in favor of appellants. Contrary to the circuit court's conclusion, Pamela Reid was never adjudged legally incapacitated by the probate court. As such, her removal as personal representative does not allow the exception of MCL 600.5852(3) to operate. The complaint was untimely, and as such, must be dismissed.

The motion for stay pending appeal is DENIED AS MOOT.

This order is to have immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.

  
Presiding Judge



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

April 10, 2020

Date

  
Chief Clerk